

City of Miami

3500 Pan American Drive

Miami, FL 33133

www.miamigov.com



Meeting Minutes

Tuesday, November 27, 2018

10:00 AM

Commission Chambers

Civil Service Board

Michael Dames, Chief Examiner

Rafael Cabrera, Board Member

Ulysses Garcia, Board Member

Wilbur Jackson, Jr., Board Member

PLEDGE OF ALLEGIANCE

The meeting was called to order at 10:02 am, with the Pledge of Allegiance. At commencement of the meeting, attendance was as follows:

Attendee Name	Title	Status
Michael Dames	Chief Examiner	Present
Rafael Cabrera	Board Member	Present
Ulysses Garcia	Board Member	Present
Wilbur M. Jackson, Jr.	Board Member	Present
Troy Sutton	Chairperson	Absent

ADOPTION OF AGENDA

Chief Examiner Dames asked if there were any revisions to the Agenda. Member Jackson asked if the Board could elect an acting Chair for this meeting, as Chair Sutton was not present. Following discussion, a motion to adopt the Agenda with the addition of Electing an Acting Chair, was considered and resulted as follows:

Motion by Board Member Cabrera, seconded by Board Member Garcia, that this matter be Approved, passed by the following vote:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

ELECTION OF ACTING CHAIR (Item Addition)

Chief Examiner Dames called for nominations for Acting Chair. Member Garcia nominated Member Jackson, which was seconded by Member Cabrera, and resulted as follows:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

A. APPROVING OF THE MINUTES**A.1 Civil Service Board - Regular Meeting - October 30, 2018**

A motion was entered to approve the Minutes as presented, which resulted as follows:

Motion by Board Member Cabrera, seconded by Board Member Garcia, that this matter be Approved, passed by the following vote:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

B. PERSONNEL MATTERS

- B.1** Copy of a memorandum from Dennis M. Jackson, II, Assistant Chief, Department of Police, requesting extension of probationary period of Lauren Novas, Emergency Dispatcher, for three (3) additional months beyond November 15, 2018. (DISCUSSION)

Following appearances by the employee and Luz Ponce, Emergency Dispatch Supervisor, Department of Police, the Board entered a motion to GRANT the extension as requested, which resulted as follows:

Motion by Board Member Dames, seconded by Board Member Carbrera, that this matter be Approved, passed by the following vote:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

- B.2** Copy of a memorandum from Angela Roberts, Director, Department of Human Resources, confirming the request of Gianni Morra, Lieutenant, to return to his former classification of Firefighter, effective September 30, 2018. (NOTIFICATION)

C. MILITARY LEAVES OF ABSENCE

- C.1** Michael Rivera, Police Officer, requests Active Duty Military Leave (ADT), effective October 29, 2018 for a period of 180 days. (DISCUSSION)

The Board entered a motion to approve the leave as requested, and thanked the employee for his service

Motion by Board Member Dames, seconded by Board Member Garcia, that this matter be Approved, passed by the following vote:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

- C.2** Jason Hunter, Communication Repair Worker, requests extension of Active Duty, Military Leave without pay effective October 17, 2018 through October 25, 2018. Records reflect his previous approved request for Military Leave was from October 9, 2018 through October 16, 2018. Copy of Memorandum submitted. (DISCUSSION)

Motion by Board Member Dames, seconded by Board Member Garcia, that this matter be Approved, passed by the following vote:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

D. DISCIPLINARY MATTERS

- D.1** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Adrian Cabello, Police Officer, of a 100-hour suspension, effective November 12, 2018 and a Request to Appeal from Mr. Cabello. (NOTIFICATION)
- D.2** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Alan Perez, Police Officer, of a 40-hour suspension, effective November 9, 2018. (NOTIFICATION)
- D.3** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Rony Rodriguez, Police Officer, of a 120-hour suspension, effective November 6, 2018. (NOTIFICATION)
- D.4** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Patrick Poll, Police Officer, of a 10-hour forfeiture, effective November 3, 2018. (NOTIFICATION)
- D.5** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Fernando Bermudez, Police Officer, of a 10-hour suspension, effective November 3, 2018. (NOTIFICATION)
- D.6** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Paul Jackson, Police Officer, of a 10-hour suspension, effective November 2, 2018. (NOTIFICATION)
- D.7** Copy of a letter from Kevin M. Kirwin, Director of Parks and Recreation Department, notifying Tejuan Allison, Grounds Tender, of a 5-work day suspension, effective November 1, 2018. (NOTIFICATION)
- D.8** Copy of a letter from Emilio T. Gonzalez, City Manager, notifying Adrian Rodriguez, Police Officer, of a Termination, effective November 1, 2018. (NOTIFICATION)

- D.9** Copy of a letter from Emilio T. Gonzalez, City Manager, notifying James Archibald, Police Officer, of a Termination, effective November 16, 2018. (NOTIFICATION)
- D.10** Copy of a letter from Emilio T. Gonzalez, City Manager, notifying Shonton Harris, Police Officer, of a Termination, effective November 16, 2018. (NOTIFICATION)
- D.11** Copy of a Memorandum from Joseph Napoli, Deputy City Manager, modifying the Department Director's action as it relates to the Civil Service Board Appeal Hearing of Barbara Reyes, Public Service Aide, concerning to a 40-hour suspension, effective January 8, 2018. (NOTIFICATION)
- D.12** Copy of a Memorandum from Joseph Napoli, Deputy City Manager, sustaining the Department Director's action as it relates to the Civil Service Board Appeal Hearing of Carmen Andreu, former Employer Specialist, concerning her demotion, effective on October 30, 2017. (NOTIFICATION)

E. GENERAL ITEMS

- E.1** Copy of General Release from Arsenio Castillo, Painter, withdrawing his Grievance Hearing, pursuant to Civil Service Rule 16.1- Investigation by the Board, alleging abuse of Power and 16.2- Complaint by Employee, alleging a violation of Departmental Orders and Civil Service Rules 14.2 (d), (h), (i), (k), (o), (r) and 17. (NOTIFICATION) Case will be considered withdrawn and removed from the Board's docket.
- E.2** Copy of a Request to Continue from Stephanie K. Panoff, Assistant City Attorney, concerning the appeal hearing of Kenya Crocker, Police Officer, concerning her 80-hour suspension, effective, January 16, 2018. (DISCUSSION) Hearing is scheduled for December 11, 2018.

Stephanie K. Panoff, Assistant City Attorney, appeared before the Board and advised that she is scheduled for a trial on December 11, 2018; therefore, she is requesting a continuance. She further indicated that Attorney Gibbons expressed no objection to the request. The Board entered a motion to GRANT the department's request, which resulted as follows:

Motion by Board Member Dames, seconded by Board Member Garcia, that this matter be Approved, passed by the following vote:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

- E.3** Copy of a Request to Continue from Stephanie K. Panoff, Assistant City Attorney, concerning the appeal hearing of Eduardo Barreto, Electrical Inspector, concerning his 3-day suspension, effective May 9, 2018. (DISCUSSION) Hearing is scheduled for December 11, 2018.

Stephanie K. Panoff, Assistant City Attorney, reiterated the reason for the request. She further indicated Attorney Osnat K. Rind, expressed no objection to the request. The Board entered a motion to GRANT the department's request, which resulted as follows

Motion by Board Member Dames, seconded by Board Member Garcia, that this matter be Approved, passed by the following vote:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

- E.4** Status update concerning the Hearing of Appeal on behalf of Angela Ginnie, Emergency Dispatcher, relative to her 40-hour suspension, effective November 13, 2017 (CSB#17-31D). Deferred from the meeting of October 30, 2018. (DISCUSSION)

Stephanie K. Panoff, Assistant City Attorney, appeared before the Board and advised the Settlement was executed and forwarded to Civil Service. The Agreement will be noted on the next Civil Service Board Agenda.

F. REPORTS

- F.1** Pending Hearings List as of November 27, 2018. (NOTIFICATION)

G. REQUESTS FOR HEARINGS

- G.1** Copy of a Request for a Grievance hearing from Arnaldo Velez, Attorney, on behalf of his client Lourdes Blanco, former Executive Director of the Miami Sports & Exhibition Authority (MSEA) requesting a Whistleblower hearing. (DISCUSSION)

Ramon Guillen, Jr., Attorney, submitted a Notice of Appearance on behalf of Lourdes Blanco, former Executive Director of the Miami Sports & Exhibition Authority (MSEA) and explained the basis of the request. Kevin Jones, Assistant City Attorney Supervisor (ACAS), Office of the City Attorney, appeared before the Board and responded that the City had no objection to a hearing.

Following discussion, the Board considered a motion to GRANT the Request for Hearing as requested, which resulted as follows:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

H. TODAY'S HEARINGS

H.1 Hearing of Appeal on behalf of Nestor Amores, Police Officer, concerning his 10-hour suspension, effective April 8, 2018.

The Executive Secretary advised the Board that the office had received a notice of a possible settlement in this matter. The Board entered a motion to GRANT a joint continuance, which resulted as follows:

Motion by Board Member Dames, seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

H.2 Hearing of Appeal on behalf of Vincent Miller, Police Officer, concerning his 40-hour suspension, effective January 22, 2018.

The Executive Secretary advised the Board that the office had received a notice of a request to continuance from Eugene Gibbons, Attorney, on behalf of Vincent Miller, Police Officer. The Board entered a motion to GRANT the employee's continuance, which resulted as follows:

Motion by Board Member Dames, seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:

AYES: Dames, Cabrera, Garcia, Jackson, Jr.

ADJOURNMENT:

There being no further business before the Board, a motion was entered to adjourn the meeting at 10:18 am, which resulted as follows:

Motion by Board Member Cabrera, seconded by Board Member Garcia, that this matter be Approved, passed by the following vote:

AYES:	Cabrera, Garcia, Jackson, Jr.
NAYS:	Dames

SIGNATURE: _____**Troy Sutton, Board Chairperson****ATTEST:** _____**Tishria L. Mindingall, Executive Secretary**